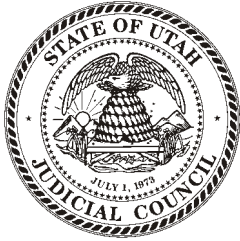


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STATE OF UTAH v. BRIAN DAVID MITCHELL **Case # 031901884**

The Utah Supreme Court has denied the petition by defendant Brian David Mitchell for an interlocutory review. The petition was filed in the Utah Supreme Court on April 15, 2004.

Issues raised by the defense in the petition for an interlocutory review were as follows: whether the trial court erred in allowing direct intervention by the media in a criminal case; whether the trial court erred by ordering Mr. Mitchell to provide the media attorneys in camera (in the judge's chambers) with a detailed summary of select materials pertaining to closure of the competency hearing; and whether the trial court erred in finding that the media had standing to contest the closure of the competency hearing in this matter when they failed to give proper notice of their interest before the court ordered the hearing closed.

On April 15, 2004, Judge Judith Atherton granted the defendant's motion to stay proceedings pending the disposition of the defendant's petition for interlocutory review. Now that the Utah Supreme Court has denied the petition, hearings regarding the case can be scheduled.

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Note: An interlocutory appeal is defined as an appeal to an appellate court of a temporary or provisional order of a trial court. The appellate court is not required to hear the appeal.